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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/258,132      | 02/26/1999  | PHILIP GOELET        | 04990.0007.U        | 3407             |

7590 10/09/2008  
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19th Floor  
New York, NY 10022

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| EXAMINER |
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MYERS, CARLA J

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| ART UNIT | PAPER NUMBER |
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1634

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10/09/2008

PAPER

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The time period for reply, if any, is set in the attached communication.

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| 09258132                        | 2/26/99     | GOELET ET AL.                                     | 04990.0007.U        |

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**EXAMINER**

Carla Myers

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| 1634 | 20081006 |
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DATE MAILED:

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**Commissioner for Patents**

The Examiner's Answer states that "This is in response to the appeal brief filed June 26, 2008 appealing from the Office action mailed May 22, 2008." This statement does not provide the correct date of the Office action. The statement should read: This is in response to the appeal brief filed June 26, 2008 appealing from the Office action mailed May 22, 2007.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carla Myers whose telephone number is 571-272-0747. The examiner can normally be reached on Monday-Thursday (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached on 571-272-0735. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Carla Myers/  
Primary Examiner, Art Unit 1634